

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BONILLA,

Petitioner,

v.

WARDEN,

Respondent.

Case No.

[24-cv-01070-JSW](#)

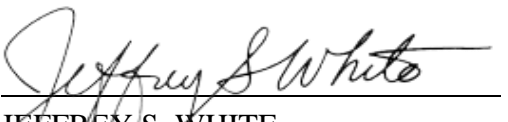
[24-cv-01101-JSW](#)

**ORDER OF DISMISSAL**

Petitioner, a California prisoner on death row, has filed the two above-captioned cases. In case number 24-1017 JSW, he seeks relief under Rule 60(d)(3) based upon a “fraud on the court.” The court to which he refers is the state court in which he was criminally convicted. Rule 60 applies to judgments in civil cases in the federal courts, not to state court criminal judgments. In case number 24-1101 JSW, he seeks “expedited review” on the grounds that the state court lacked subject matter jurisdiction in his criminal proceedings. Petitioner has a pending petition for a writ of habeas corpus in which he challenges his state court criminal judgment. *See Bonilla v. Ayers*, No. C 08-0471 YGR. There is no need for Petitioner to have more than one case challenging the same state court criminal proceedings. He is represented by counsel in that case, and he must bring all of his claims, motions, and other requests relating to any challenge to his conviction or sentence, including the instant requests, through counsel. Accordingly, the above-captioned cases are DISMISSED. The clerk shall enter judgments and close the files.

**IT IS SO ORDERED.**

Dated: February 28, 2024

  
JEFFREY S. WHITE  
United States District Judge